

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
AT KANSAS CITY**

BILLIE RODRIGUEZ, DANIEL
ERWIN, MICHAEL B. ACKERMAN,
and KYLE FOREMAN, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

EXXON MOBIL CORPORATION,
CHEVRON USA INC., CHEVRON
PHILLIPS CHEMICAL CORPORATION,
DUPONT de NEMOURS, INC., DUPONT
CORPORATION, CELANESE
CORPORATION, DOW INC., DOW
CHEMICAL COMPANY, EASTMAN
CHEMICAL COMPANY,
LYONDELLBASELL INDUSTRIES N.V.,
and AMERICAN CHEMISTRY COUNCIL,

Defendants.

Case No.: 4:24-cv-00803-SRB

**CONSENT MOTION TO EXTEND DEFENDANTS DOW INC.'S AND DOW
CHEMICAL COMPANY'S TIME TO ANSWER, MOVE, OR OTHERWISE
RESPOND TO PLAINTIFFS' COMPLAINT**

COME NOW Dow Inc. and Dow Chemical Company (hereinafter "Dow") by and through their undersigned counsel and move this Court for entry of an Order extending Dow's deadline to answer, move, or otherwise respond to Plaintiffs' Complaint for 27 days, to and including February 10, 2025. Counsel for Plaintiffs has consented to the relief requested in this motion.

The Memorandum in Support of this Motion is incorporated and set forth below.

MEMORANDUM IN SUPPORT

In support of this motion, Dow states as follows:

1. Plaintiffs and Dow have conferred regarding the relief requested herein on January 7, 2025.

2. Dow was served with process on December 24, 2024. The current deadline to answer, move, or otherwise respond to Plaintiffs' Complaint is January 14, 2025. The consented 27-day extension would extend the response date to February 10, 2025.

3. Plaintiffs' Complaint contains 45 counts, alleges two nationwide putative classes and 35 putative state classes, avers at least 45 different legal theories, and is 92 pages long. (Dkt. No. 1.) Due to the timing of service, a few days prior to commencement of the Chanukah, Christmas, Kwanza, and New Year holidays ("holidays"), and the complexity of Plaintiffs' Complaint, Dow requests additional time to prepare its response to Plaintiffs' Complaint.

4. This consent motion is not filed for purposes of delay, but rather in a good faith effort to extend the current responsive pleading deadline in light of the reasons outlined above.

WHEREFORE, Dow respectfully prays that the Court enter an Order extending Dow's time to answer or otherwise respond to Plaintiffs' Complaint, by a period of 27 days to and including February 10, 2025.

Dated: January 9, 2025

Respectfully submitted,

BRYAN CAVE LEIGHTON PAISNER LLP

/s/ Robert J. Hoffman

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Attorneys for the Dow Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of January, 2025 a copy of the above pleading was served via the District Court ECM/ECF system on all counsel of record.

/s/ Robert J. Hoffman
Robert J. Hoffman